

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KATE MILLS, an
Individual,

Plaintiff
vs.

Case No. 2:08-cv-14291-PJD-VMM
Hon. Patrick J. Duggan

WALTER RODABAUGH, in an official
and unofficial capacity, an Individual,
JEFFREY BROOKS, in an official and
unofficial capacity, an Individual, and
COUNTY OF LAPEER, a Michigan
municipal entity.

Defendants.

-AND-

ANDREW MILLS, an
Individual,

Plaintiff
vs.

Case No. 2:09-10921 PJD-VMM
Hon. Patrick J. Duggan

WALTER RODABAUGH, in an official
and unofficial capacity, an Individual,
JEFFREY BROOKS, in an official and
unofficial capacity, an Individual, and
COUNTY OF LAPEER, a Michigan
municipal entity.

Defendants.

SEIFMAN & GUZALL, P.C.
BY: Kevin J. Watts (P64852)
Barry A. Seifman (P20197)
Attorneys for Plaintiff
30665 Northwestern Hwy., Ste. 255
Farmington Hills, Michigan 48334
248 538-0711
Fax 248-932-1112
kevin.watts@thelawadvocate.com

JOHNSON, ROSATI, LaBARGE,
ASELTYN & FIELD, P.C.
BY: S. Randall Field (P31841)
Attorney for Defendants
34405 W. Twelve Mile Road, Suite 200
Farmington Hills, Michigan 48331-5627
248 489-4100
Fax 248-489-4100
rfield@jrlaf.com

STIPULATED PROTECTIVE ORDER

At a session of said Court held in the City of Detroit,
County of Wayne, State of Michigan on
September 21, 2009.

PRESENT: THE HONORABLE PATRICK DUGGAN, U.S. DISTRICT COURT JUDGE

This matter having come before the Court upon Stipulation of the parties for a Protective Order, the Court directs that the documents listed herein presented by the County of Lapeer Defendants in this litigation, either voluntarily, pursuant to Discovery request, or pursuant to Court Order shall be subject to this Protective Order. The documents ***shall include the Lapeer County Sheriff's Deputy Jeff Brooks' personnel file, which shall be provided to Plaintiffs' counsel of record, subject to the following conditions:***

1. The documents are limited to the use in the consolidated case of Kate Mills and Andrew Mills v County of Lapeer, et al, Case No. 2:08-cv-14291-PJD-VMM and 2:09-cv-10921-PJD-VMM, currently pending in the United States District Court, Eastern District of Michigan, Southern Division, before the Honorable Patrick Duggan.

2. The documents maybe reviewed only by counsel of record, counsel of record's support personnel, the Plaintiffs, and such expert witnesses and/or consultants as counsel of record deems necessary for purposes of this litigation, as well as any persons to whom the documents may be presented for evaluation and/or evidentiary purposes such as mediators, case evaluators, facilitators, judge, or jury, subject to the provisions of paragraphs 3 and 4 below.

3. Any person to whom the documents are shown must be provided with a copy of this Stipulated Protective Order and must agree to abide by the terms thereof.

4. No person, including counsel of record, counsel of record's support personnel, the Plaintiffs, and/or any expert witness and/or consultants retained by any party in this matter, may retain a copy of the documents; upon written request from Defendants' counsel, a record of a

number of copies made, the name of the persons to whom copies have been given, and all copies of the documents shall be returned to Defendants' counsel, S. Randall Field, upon settlement of this matter, or upon entry of a final judgment after all appeals have been exhausted.

5. Neither the actual documents, nor the information contained therein, may be disclosed to any other person or entity not identified in this Stipulated Protective Order, nor used by any persons for any purpose other than direct use in this litigation.

6. The Plaintiff shall further provide the defense counsel at the time of re-delivery of the documents, an Affidavit stating that Plaintiff has complied with the provisions of this Stipulated Protective Order.

7. **The parties reserve the right to add additional documents to come within this protective order should it become necessary during the course of discovery.**

IT IS HEREBY ORDERED.

s/Patrick J. Duggan
Patrick J. Duggan
United States District Judge

Dated: September 21, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on September 21, 2009 ,by electronic and/or ordinary mail.

s/Marilyn Orem
Case Manager

Approved as to form and content:

JOHNSON, ROSATI, LaBARGE,
ASELTINE & FIELD, P.C.

s/S. Randall Field
Attorney for Defendants
34405 W. Twelve Mile Road, Suite 200
Farmington Hills, MI 48331-5627
cyoung@jrlaf.com
(248) 489-4100
(P 31841)

s/Kevin J. Watts
Kevin J. Watts (P64852)
30665 Northwestern Hwy., Ste 255
Farmington Hills, Michigan 48334
248-538-0711